

**Information to identify the case:**

Debtor 1:	<b>Michael D. Schimek</b>			Social Security number or ITIN: xxx-xx-4285
	First Name	Middle Name	Last Name	EIN: _____
Debtor 2: (Spouse, if filing)	First Name	Middle Name	Last Name	Social Security number or ITIN: _____
				EIN: _____
United States Bankruptcy Court:	Southern District of New York			Date case filed for chapter: 7 2/8/24
Case number:	<b>24-10213-mg</b>			

**Official Form 309A (For Individuals or Joint Debtors)****Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline**

10/20

**For the debtor(s) listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.**

**This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.**

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <https://pacer.uscourts.gov>).

**The staff of the bankruptcy clerk's office and the office of the U.S. Trustee cannot give legal advice.**

**To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.**

**Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.**

<b>About Debtor 1:</b>		<b>About Debtor 2:</b>
<b>1. Debtor's full name</b>	Michael D. Schimek	
<b>2. All other names used in the last 8 years</b>		
<b>3. Address</b>	220 Riverside Blvd 32 A New York, NY 10069	
<b>4. Debtor's attorney</b> Name and address	Barbie Dawn Lieber Lieber & Lieber, Esq. 1 Great Neck Road Suite 8 Great Neck, NY 11021	Contact phone 917-414-1190 Email: <a href="mailto:barbie@ieberlegal.com">barbie@ieberlegal.com</a>
<b>5. Bankruptcy trustee</b> Name and address	Deborah Piazza Tarter Krinsky & Drogin LLP 1350 Broadway 11th Floor New York, NY 10018	Contact phone (212) 216-8000 Email: <a href="mailto:dpiazza@tarterkrinsky.com">dpiazza@tarterkrinsky.com</a>

For more information, see page 2 &gt;

Debtor Michael D. Schimek

Case number 24-10213-mg

<b>6. Bankruptcy clerk's office</b>	One Bowling Green New York, NY 10004-1408  Clerk of the Bankruptcy Court: Vito Genna	Office Hours: <u>Monday – Friday</u> <u>8:30 AM – 5:00 PM</u>  Contact phone 212-668-2870 Date: 2/9/24
<b>7. Meeting of creditors</b>	<b>March 13, 2024 at 11:30 AM</b>	Location:  <b>Zoom video meeting. Go to Zoom.us/join, Enter Meeting ID 346 116 0283, and Passcode 8488495731, OR call 1 (332) 222-3227</b>
		<b>For additional meeting information go to <a href="https://www.justice.gov/ust/moc">https://www.justice.gov/ust/moc</a></b>
<b>8. Presumption of abuse</b>	The presumption of abuse does not arise.	If the presumption of abuse arises, you may have the right to file a motion to dismiss the case under 11 U.S.C. § 707(b). Debtors may rebut the presumption by showing special circumstances.
<b>9. Deadlines</b>	<b>File by the deadline to object to discharge or to challenge whether certain debts are dischargeable:</b>  The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.	<b>Filing deadline: 5/13/24</b>  <b>You must file a complaint:</b> <ul style="list-style-type: none"> <li>if you assert that the debtor is not entitled to receive a discharge of any debts under any of the subdivisions of 11 U.S.C. § 727(a)(2) through (7), or</li> <li>if you want to have a debt excepted from discharge under 11 U.S.C. § 523(a)(2), (4), or (6).</li> </ul> <b>You must file a motion:</b> <ul style="list-style-type: none"> <li>if you assert that the discharge should be denied under § 727(a)(8) or (9).</li> </ul> <b>Deadline to object to exemptions:</b> The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection. <b>Filing deadline:</b> 30 days after the conclusion of the meeting of creditors
<b>10. Proof of claim</b>	Please do not file a proof of claim unless you receive a notice to do so.	No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.
<b>11. Creditors with a foreign address</b>	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	
<b>12. Exempt property</b>		The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <a href="http://pacer.uscourts.gov">pacer.uscourts.gov</a> . If you believe that the law does not authorize an exemption that the debtors claim, you may file an objection. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 9.
<b>13. Debtors</b>		Duty to complete Financial Management Course and File Certificate: The Personal Financial Management Course must be completed and Official Form 423 (Certification About a Financial Management Course) must be filed within 60 days after the first date set for your section 341(a) meeting, pursuant to Bankruptcy Rule 1007(c). Please note: You will not receive your discharge and your case will be closed without entry of a discharge, if you do not file the form within the required time allotted. If you fail to file the Certification About a Financial Management Course and your case is closed, you will be required to file a Motion to Reopen the Case to allow for filing of the Certification, paying required fees, if any become due, applicable to either the reopening of the case or filing of the motion.

In re:

Michael D. Schimek

Debtor

Case No. 24-10213-mg

Chapter 7

District/off: 0208-1

User: admin

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Date Rcvd: Feb 09, 2024

Form ID: 309A

Total Noticed: 12

The following symbols are used throughout this certificate:

**Symbol      Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
- ^ Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 11, 2024:****Recip ID****Recipient Name and Address**db  
8438569

- + Michael D. Schimek, 220 Riverside Blvd, 32 A, New York, NY 10069-1014
- + GLORIA ALLRED, C/O HELD & HINES, LLP, 2004 RALPH AVENUE, BROOKLYN, NY 11234-5303

TOTAL: 2

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

**Recip ID****Notice Type: Email Address**

aty

Email/Text: barbie@ieberlegal.com

**Date/Time****Recipient Name and Address**

Feb 09 2024 19:02:00      Barbie Dawn Lieber, Lieber &amp; Lieber, Esq., 1 Great Neck Road, Suite 8, Great Neck, NY 11021

tr

- + Email/Text: deborah.piazza@txitrustee.com

Feb 09 2024 19:02:00      Deborah Piazza, Tarter Krinsky &amp; Drogin LLP, 1350 Broadway, 11th Floor, New York, NY 10018-0947

smg

Email/Text: labor.sm.ui.bankruptcy@labor.ny.gov

Feb 09 2024 19:02:00      N.Y. State Unemployment Insurance Fund, P.O. Box 551, Albany, NY 12201-0551

smg

- + Email/Text: DOFBankruptcy@finance.nyc.gov

Feb 09 2024 19:02:00      New York City Dept. Of Finance, Office of Legal Affairs, 375 Pearl Street, 30th Floor, New York, NY 10038-1442

smg

Email/Text: nys.dtf.bncnotice@tax.ny.gov

Feb 09 2024 19:02:00      New York State Tax Commission, Bankruptcy/Special Procedures Section, P.O. Box 5300, Albany, NY 12205-0300

smg

- + Email/Text: USANYS.Bankruptcy@usdoj.gov

Feb 09 2024 19:02:00      United States Attorney's Office, Southern District of New York, Attention: Tax &amp; Bankruptcy Unit, 86 Chambers Street, Third Floor, New York, NY 10007-1825

ust

- ^ MEBN

Feb 09 2024 19:01:51      United States Trustee, Office of the United States Trustee - NY, Alexander Hamilton Custom House, One Bowling Green, Room 534, New York, NY 10004-1459

8438568

- + EDI: BANKAMER

Feb 10 2024 00:02:00      BANK OF AMERICA, ATTN: BANKRUPTCY, 4909 SAVARESE CIRCLE, TAMPA, FL 33634-2413

8438570

EDI: CITICORP

Feb 10 2024 00:05:00      MACYS/FDSB, ATTN: BANKRUPTCY, 9111 DUKE BOULEVARD, MASON, OH 45040

8438571

- + Email/Text: nys.dtf.bncnotice@tax.ny.gov

Feb 09 2024 19:02:00      NEW YORK STATE DEP OF FIN, WA HARRIMAN CAMPUS, ALBANY, NY 12227-0001

TOTAL: 10

**BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

District/off: 0208-1

User: admin

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Date Rcvd: Feb 09, 2024

Form ID: 309A

Total Noticed: 12

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 11, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 9, 2024 at the address(es) listed below:

Name	Email Address
Barbie Dawn Lieber	on behalf of Debtor Michael D. Schimek barbie@ieberlegal.com lieberb@aol.com
Deborah Piazza	dpiazza@tarterkrinsky.com sdineen@tarterkrinsky.com;N256@ecfcbis.com;dpiazza@iq7technology.com;ecf.alert+Piazza@titlexi.com
United States Trustee	USTPRegion02.NYECF@USDOJ.GOV

TOTAL: 3